

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

FORT HICKMON,)	
)	
Plaintiff,)	
)	
v.)	No. 4:19-CV-2757 AGF
)	
PACKAGING CONCEPTS, INC., et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court upon review of the file. Plaintiff Fort Hickmon commenced this civil action for employment discrimination on October 10, 2019, by filing a civil complaint against his former employer and three of its employees. ECF No. 1. On February 11, 2020, the Court granted plaintiff *in forma pauperis* status and reviewed his complaint under 28 U.S.C. § 1915(e)(2). ECF No. 4. The Court found multiple problems with plaintiff's complaint but allowed plaintiff an opportunity to cure the pleading deficiencies by filing an amended complaint in compliance with the Court's instructions. The Court cautioned plaintiff that his failure to timely comply with the Court's Order could result in the dismissal of his case. Plaintiff's response was due by March 12, 2020.

To date, plaintiff has neither responded to the Court's order, nor sought additional time to do so. Plaintiff was given meaningful notice of what was expected, he was cautioned that his case would be dismissed if he failed to timely comply, and he was given ample time to comply. The Court will therefore dismiss this action, without prejudice, due to plaintiff's failure to comply with the Court's February 11, 2020, Order and his failure to prosecute his case. *See* Fed. R. Civ. P. 41(b); *see also Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (the authority of a court to

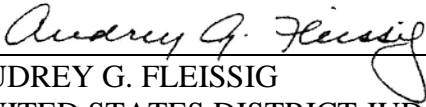
dismiss *sua sponte* for lack of prosecution is inherent power governed “by the control necessarily vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases”); *Brown v. Frey*, 806 F.2d 801, 803 (8th Cir. 1986) (a district court has the power to dismiss an action for the plaintiff’s failure to comply with any court order).

Accordingly,

IT IS HEREBY ORDERED that this case is **DISMISSED** without prejudice. A separate order of dismissal will be entered herewith.

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith.

Dated this 20th day of April, 2020.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE